S.B.Cr.Misc. Bail App. No. 4895/07
(Visnu Kumar & Anr. Vs. State of Rajasthan)

Date of order : 01/10/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. M.K.Garg for the petitioners.

Mr. Vishnu Kachhawaha Public Prosecutor.

Heard learned counsel for the petitioners and the Public Prosecutor for the State. Perused the order impugned.

It is contended by learned counsel for the petitioners that co-accused Smt. Shyama Bai has been granted bail by this Court vide order dated 27.9.2007 on perusal of the police investigation diary. From the perusal of the order dated 27.9.2007 it appears that soon after the occurrence, the injured was admitted to Maharana Bhupal Govt. Hospital, Udaipur where she made a statement before the Doctor that she caught fire while liting the stove. This fortifies from the bed head ticket available in the police investigation diary. It reveals that the injured herself has given the history of the occurrence and stated that she got the burn injury by Chulha at home at about 5.00 A.M. accidently. Thereafter she remained under treatment for some days and after 40 days of occurrence, she has filed the complaint implicating the petitioners.

Be that as it may, similarly situated co-accused has been granted bail and the injured herself in her earlier version before the Doctor stated that she caught the fire accidently while liting the stove.

In the circumstances, therefore, looking to the facts and

circumstances of the case and having considered the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioners on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioners Visnu Kumar S/o Nand Lal and Rinku @ Ravi Kumar S/o Nand Lal be released on bail in FIR No. 104/2007 P.S. Badi Sadri, district Chittorgarh, provided each of them executes a personal bond for a sum of Rs. 20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for their appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP